



U.S. Department of Justice

Antitrust Division

Liberty Square Building

*450 5th Street, N.W.
Washington, DC 20001*

February 15, 2023

Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Protective Order in *United States v. Connolly, et al.*, 16-cr-370-CM

Dear Judge McMahon:

The government writes to provide notice of a motion and two orders in a civil case pending before Judge Furman, *Connolly v. Deutsche Bank AG*, No. 22-cv-9811-JMF (S.D.N.Y.), that relate to the protective order in this case (the *Connolly* criminal case). See Attachments 1 (Order of February 7, 2023), 2 (Government's Motion), & 3 (Order of February 15, 2023).

As articulated more fully in the attached filings, the government is concerned that criminal discovery that it provided in the *Connolly* criminal case has been used and disseminated in ways that violated the protective order entered by this Court. The government is conferring with Mr. Connolly's criminal counsel (via telephone) and Mr. Connolly's civil counsel (via email), and anticipates conferring with Mr. Black's criminal/civil counsel tomorrow (February 16), to determine expeditiously whether it will be necessary to file a motion to enforce the protective order or to obtain any other available relief. In the event that the government seeks relief from this Court, it anticipates doing so by February 17, 2023.

Respectfully Submitted,

/s/ Michael T. Koenig
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